

# **EXHIBIT A**

**AMENDMENT IN RESPONSE TO APRIL 6, 2009 OFFICE ACTION  
AND PETITION FOR TWO-MONTH EXTENSION OF TIME**

**Applicant: Trustees of Columbia University  
in the City of New York**

**U.S. Serial No.: 10/679,135**

**Filed: October 3, 2003**



**DECLARATION AND POWER OF ATTORNEY**

*As a below-named inventor, I hereby declare that:*

*My residence, post office address, and citizenship are as stated below next to my name.*

*I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:*

**METHODS FOR TREATING ISCHEMIC DISORDERS USING CARBON MONOXIDE**

*the specification of which:  
(check one)*

\_\_\_\_\_ is attached hereto.

X was filed on October 3, 2003 as

Application Serial No. 10/679,135

and was amended October 3, 2003; October 1, 2004;  
April 10, 2006; and September 26,  
2007  
(if applicable)

*I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.*

*I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.*

*I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:*

*Prior Foreign Application(s)*

*Priority Claimed*

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
<u>PCT/US99/07175</u>	<u>PCT</u>	<u>April 1, 1999</u>	<u>X</u>	<u>   </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>   </u>	<u>   </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>   </u>	<u>   </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>   </u>	<u>   </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>   </u>	<u>   </u>

*I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:*

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:*

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>09/671,100</u>	<u>September 27, 2000</u>	<u>Abandoned</u>
<u>PCT/US99/07175</u>	<u>April 1, 1999</u>	<u>Entered National Stage</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*And I hereby appoint*

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Paul Teng (Reg. No. 40,837); and Gary J. Gershtik (Reg. No. 39,992).

*and each of them, all c/o Cooper & Dunham LLP, 30 Rockefeller Plaza, 20<sup>th</sup> Floor, New York, New York 10112, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.*

Please address all communications, and direct all telephone calls, regarding this application to:

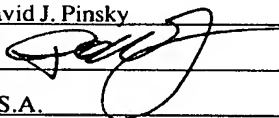
John P. White, Esq. Reg.No. 28,678  
Cooper & Dunham, LLP (Customer Number 23432)  
30 Rockefeller Plaza  
20<sup>th</sup> Floor  
New York, New York 10112  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first joint inventor

David J. Pinsky

Inventor's signature



Date of signature 5/29/09

Citizenship

U.S.A.

Residence

3600 Daleview Dr.

Post Office Address

See Residence Address above

Ann Arbor, MI

48105

Full name of additional  
joint inventor (if any)

David M. Stern

Inventor's signature

Date of signature \_\_\_\_\_

Citizenship

U.S.A.

Residence

Post Office Address

See Residence Address above

Full name of additional  
joint inventor (if any)

Charles J. Prestigiacomo

Inventor's signature

Date of signature \_\_\_\_\_

Citizenship

U.S.A.

Residence

Post Office Address

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Full name of sole or first joint inventor David J. Pinsky  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship U.S.A.  
Residence \_\_\_\_\_  
Post Office Address See Residence Address above

Full name of additional joint inventor (if any) David M. Stern  
Inventor's signature David Stern Date of signature 5/20/09  
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Full name of additional joint inventor (if any) Charles J. Prestigiacomo  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship U.S.A.  
Residence \_\_\_\_\_  
Post Office Address See Residence Address above



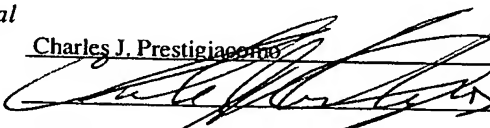
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Full name of sole or first joint inventor David J. Pinsky  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship U.S.A.  
Residence \_\_\_\_\_  
Post Office Address See Residence Address above

Full name of additional joint inventor (if any) David M. Stern  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship U.S.A.  
Residence \_\_\_\_\_  
Post Office Address See Residence Address above

Full name of additional joint inventor (if any) Charles J. Prestigiacchi  
Inventor's signature  Date of signature 6/8/09  
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